

EXHIBIT 3

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December 16, 2020

Epic Games, Inc. v. Apple Inc., No. 4:20-cv-05640-YGR-TSH (N.D. Cal.)

Counsel:

I write on behalf of Epic Games, Inc. ("Epic") in the above-captioned matter.

Enclosed please find a hard drive containing a production of documents consisting of one volume: EPIC010. Production volume EPIC010 contains documents bearing Bates numbers EPIC_00652202 to EPIC_01923039. We are simultaneously producing them in *Cameron et al. v. Apple Inc.*, No. 19-cv-03074-YGR (N.D. Cal.) ("*Cameron*") and *In re Apple iPhone Antitrust Litigation*, No. 11-cv-06714-YGR (N.D. Cal.) ("*Pepper*"). The password to access the hard drive will be sent under separate cover.

Certain documents in EPIC010 contain protected personal information ("PPI") of Epic's customers and users. Consistent with Section 5.I of the Stipulation Re: Discovery of Electronically Stored Information entered by the Court on November 2, 2020 in all three cases (*Epic*, ECF No. 143; *Cameron*, ECF No. 136; *Pepper*, ECF No. 259), Epic has undertaken reasonable efforts to redact PPI from these documents. However, to the extent any documents in Epic's production contain unredacted PPI, Epic requests that the parties redact any such information prior to filing the documents publicly and, as required by the applicable protective orders, that the parties not use the information for any purpose other than the present litigation.

This letter and the accompanying production are not intended to, and do not, waive any applicable privilege or other legal basis under which information may not be subject to production. If it were found that this letter or the accompanying production constitute disclosure of otherwise privileged matters, such disclosure would be inadvertent. By the production of such documents, Epic does not intend to waive, and has not waived, the attorney-client privilege or any other protections.

These documents are produced pursuant to the Stipulation between Epic Games, Inc. and Apple Inc. and Protective Order, entered by the Court on October 2, 2020 (ECF No. 112); the Stipulated Protective Order, entered by the Court on January 9, 2020 (*Cameron*,

ECF No. 85); and the Stipulated Protective Order, entered by the Court on January 9, 2020 (*Pepper*, ECF No. 199) (collectively, the “Orders”). Documents designated as “CONFIDENTIAL”, “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY”, or “HIGHLY CONFIDENTIAL – SOURCE CODE” shall be treated as such in accordance with the Orders.

Sincerely,

s/ Brendan R. Blake

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